

महाराष्ट्र प्रादेशिक नियोजन व नगररचना  
अधिनियम, १९६६

कलम ३७ (१ कक) अन्वये सूचना ...

औरंगाबाद महानगरपालिकेच्या विकास नियंत्रण  
नियमावलीमध्ये फेरबदल करणे.....

महाराष्ट्र शासन  
नगर विकास विभाग

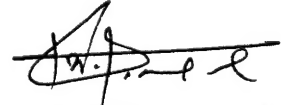
शासन निर्णय क्र. टिपीएस-३००९/१२८२/प्र.क्र.१७/२००९/नवि-३०.

मंत्रालय, मुंबई - ३२.

दिनांक २३ जानेवारी, २००९.

शासन निर्णय :- सोबतची सूचना महाराष्ट्र शासन असाधारण राजपत्रात प्रसिद्ध करावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने,

  
(शिवाजी पाटणकर)  
अवर सचिव

प्रति,

विभागीय आयुक्त, औरंगाबाद विभाग, औरंगाबाद.

जिल्हाधिकारी, औरंगाबाद.

संचालक नगररचना, महाराष्ट्र राज्य, पुणे.

आयुक्त, औरंगाबाद. महानगरपालिका, औरंगाबाद.

उप सचिव (नगररचना), नगर विकास विभाग, मंत्रालय, मुंबई.

उप संचालक नगररचना, औरंगाबाद विभाग, औरंगाबाद.

सहायक संचालक नगररचना, औरंगाबाद शाखा, औरंगाबाद.

व्यवस्थापक, शासकीय मुद्रणालय, औरंगाबाद..

त्यांना विनंती करण्यात येते की, सोबतची सूचना महाराष्ट्र शासन राजपत्राच्या औरंगाबाद विभागीय पुरवणीमध्ये प्रसिद्ध करून त्याच्या ५ प्रती या विभागास व संचालक नगररचना, महाराष्ट्र राज्य, पुणे यांना पाठवाव्यात.

✓ कक्ष अधिकारी, (न.वि-२९) नगरविकास विभाग, मंत्रालय, मुंबई.

त्यांना विनंती करण्यांत येते की, सोबतची सूचना शासनाच्या वेबसाईटवर प्रसिद्ध करण्यांत यावी.

निवड नस्ती, नवि-३०.

**Maharashtra Regional &  
Town Planning Act, 1966.**

**Notice under section 37  
(1AA) of the said Act.  
Proposed New Rule N-  
2.1(D) (Appendix V ) in  
Aurangabad Municipal  
Corporation DCR.**

**GOVERNMENT OF MAHARASHTRA  
Urban Development Department,  
Mantralaya, Mumbai 400 032.  
Dated -23/01/2009**

**NOTICE**

No. TPS- 3009/1282/CR- 17/09/UD-30

Whereas the Development Control Regulations for Aurangabad (hereinafter referred to as "the said Regulations") have been sanctioned by Government in Urban Development Department under section 31(1) of the Maharashtra Regional and Town Planning Act 1966 (hereinafter referred to as "the said Act") vide notification No.TPS-3088/454/CR-59/UD-12 dt. 14/10/1991 (hereinafter referred to as "the said notification"); for Aurangabad Municipal Corporation (hereinafter referred to as "the said corporation");

And whereas Govt. in Housing Department has declared the "Housing Policy" (hereinafter referred to as "the said policy");

And whereas, "the said policy proposed to allow redevelopment of MHADA colonies by providing, higher FSI and to revise the size of old tenaments. This will enable the present occupants to have better accomodation as well as to create additional housing stock;

And whereas Govt. felt it necessary to add the new Rule No. N-2.1 (D) alongwith new Appendix V (hereinafter referred to as "the said proposed modification") given in the Schedule'A' appended herewith;

And whereas the said proposed modification is in public interest;

Now, therefore, as provided in sub-section (1AA) of section 37 of the said Act suggestions and objections, if any, to the said modification are invited from general public in writing with reasons thereof, within 60(sixty) days from the date of publication of this Aurangabad notice in Maharashtra Government Gazette. The suggestions/objections shall be addressed to the Deputy Director of town Planning, Aurangabad Division, Aurangabad having his office at Gruhnirman Building 2<sup>nd</sup> Floor Near Printravel Hotel Station Road Aurangabad, the said officer shall submit his report to Government after scrutinising the suggestions and objections over the proposed modification, say of the said Corporation and after granting hearing to the concerned persons including the said Corporation.

The suggestions/objections received within the period of 60(sixty) days from the date of publication of this notice in Maharashtra Government Gazette only will be considered.

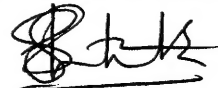
**Note :-**

A) Said proposed modification is available for inspection by the general public during office hours on all working days at the following offices :-

- 1) The Deputy Director of town Planning, Aurangabad Division, Aurangabad having his office at Gruhnirman Building 2<sup>nd</sup> Floor Near Printravel Hotel Station Road Aurangabad.
- 2) The Commissioner Aurangabad Municipal Corporation, Aurangabad.
- 3) Chief executive Officer, MAHDA.

B) This notice is also published on Government web at [www.urban.maharashtra.gov.in](http://www.urban.maharashtra.gov.in)

By order and in the name of the Governor of Maharashtra,



( Shivaji Patankar )

Under Secretary to Government

## SCHEDULE 'A'

Accompaniment to Government in Urban development Department's Notice No. TPS-3009/1282/C.R.17/2009/UD-30, dated 23/01/2009.

D

**N-2.1 Development/redevelopment of Housing Schemes of Maharashtra Housing & Area Development Authority:**

- 1) The FSI for a new scheme on vacant lands of Low Cost Housing Schemes for Economically Weaker Section, Low Income Groups & Middle Income Group of the MHADA having atleast 60% built up area in the form of tenements under EWS, LIG & MIG categories shall be 2.50.
- 2) For redevelopment of existing housing schemes of MHADA, undertaken by the MHADA departmentally or jointly with societies/occupiers of buildings or by housing societies/occupiers of building or by lessees of MHADA or by the developer, the FSI shall be as under –
  - a) Total permissible FSI shall be 2.5 on gross plot area.
  - b) The incentive FSI admissible against the FSI required for rehab shall be as under –
    - (i) In congested area as shown on sanctioned D.P. of Aurangabad for the area upto 4000 sq.mt. the incentive FSI admissible will be 50%.
    - (ii) In congested area as shown on sanctioned D.P. of Aurangabad for the area above 4000 sq.mt. the incentive FSI admissible will be 60%.
    - (iii) In outside congested area, shown on sanctioned D.P. of Aurangabad for the area upto 4000 sq.mt. the incentive FSI admissible will be 60%.
    - (iv) In outside congested area, shown on sanctioned D.P. of Aurangabad for the area above 4000 sq.mt. the incentive FSI will be 75%.
  - (c) Difference between 2.5 FSI and the FSI required for "rehab + incentive" shall be shared between MHADA & Society/Developer in the ratio of 2:1.
  - (d) In the scheme, for the land allotted for societies of MIG & HIG and developed plot allotted individually to MIG & HIG group, the permissible FSI shall be as per prevailing Development Control Regulation.
- 3) In case of grant of NOC with additional permissible Builtup area by MHADA for the purpose of undertaking Redevelopment/Utilisation, MHADA shall charge premium at

the rate decided by Govt. in Housing Department from time to time.

- 4) For the purpose of calculating the FSI, the entire area of the layout including development plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered. Sub-division of plots will be permissible on the basis of compulsory open spaces as in these Regulations. For low cost housing schemes of MHADA for EWS, LIG categories, the Regulations in Appendix ~~8~~ <sup>✓</sup> appended herewith shall apply.
- 5) For the purpose of this Regulation the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.
- 6) For the ofsite infrastructure, MHADA shall pay to the <sup>Aurangabad</sup> ~~Amravati~~ Municipal Corporation 12.5% of the charges collected by MHADA for the grant of additional FSI (FSI over and above the normally permissible FSI) for the Redevelopment Schemes.
- 7) In any Redevelopment scheme where the Co-operative Housing Society/Developer appointed by the Co-operative Housing society has obtained No Objection Certificate from the MHADA/Aurangabad Board thereby sanctioning additional balance 7 FSI with a consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation) then it shall be obligatory for all the occupiers/members to participate in the Redevelopment Scheme and vacate the existing tenement for the purpose of redevelopment. In case of failure to vacate the existing tenements, the provisions of section 95A of the MHADA Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non co-operative members.
- 8) A corpus fund, as may be decided by MHADA, shall be created by the Developer which will remain with the societies for its maintenance.

## **Appendix V**

### **(Under Regulation No. N-2.1(D) )**

#### **Regulation for Low Cost Housing Schemes of the Maharashtra Housing and /area Development Authority for Economically Weaker Section (EWS) and Low Income Groups(LIG)**

1. Density – a) Density shall be upto 450 tenements per net hectare having at least 60 percent tenements for EWS/LIG housing.

b) Extra density of 20 percent over and above the normally permissible density will apply for such housing schemes, with 60 per cent tenements under the E.W.S. and L.I.G. categories.

2. Minimum Plot Size –a) In the case of a growing house on a plot of 25 sq.m., a room of minimum size of 5.57 sq.m. (60 sq.ft.) with toilet arrangement in the first phase shall be permitted. In the second phase, one room of 9.30 sq.m. (100 sq.ft.) may be allowed to be added. However commencement and occupation certificates shall be granted initially to the first phase only and subsequent certificate for second phase issued as required.

- b) Multi-purpose rooms – A multi purpose room shall be allowed with size upto 12.5 sq.m. with a minimum width of 2.4 m.
- c) Cooking space (alcove). – Provision of separate kitchen shall not be necessary. However, Cooking space shall be allowed with a minimum use of 2.4 sq.m. with minimum width of 1.2 m.
- d) Combined toilet. – A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 sq.m. with minimum width of one meter,
- e) Height – the average height for a habitable room with sloping roof shall be minimum 2.6 m. with minimum height of 2 m. at the eaves. In the case of a flat roof, minimum clear height shall be 2.6 m. for a habitable

room. Kitchen areas shall have minimum clear height/average height of 2.4 m. and bath and water closet (without loft) shall have a clear minimum height of 2.2 m.

- f) Plinth. – The minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.
3. External walls – 115 mm. thick external brick wall without plaster shall be permitted.
4. Staircases – Single flight staircases without landing between the two floors shall be permitted.
5. Front open space – The front open space from roads having width of 9.14 m. and below shall be of a minimum of 1.5 m for buildings with height of up to 10 m.
6. Open space (side and rear)- The distance between two ground floor structures shall be of minimum of 4.5 m. for purposes of light and ventilation of habitable rooms. In case of toilets deriving light and ventilation from an open space, the distance between the two ground floor structures shall be a minimum of 1.5 m.
7. Pathways – The width of pathways shall be as follows –
- i) 1.5 m width of pathways up to 20 m. in length.
  - ii) 2 m. width of pathways up to 30 m. in length.
  - iii) 2.5 m. width of pathways up to 40 m. in length.
  - iv) 3 m. width of pathways up to 50 m. in length.
8. Flushing cistern – In water closets, flushing cistern shall not be essential and toilets without this provision may be permitted.
9. Water closet pan size – the water closet seat shall be of a minimum of 0.46 m. (18 inches) in length.
10. Septic tank and leaching pits (soak pits) A septic tank shall be provided with capacity of 141.6 liters (five cubic feet) per capita. Where the municipal services are likely to be available within four to five years or so, pour flush

water seal latrines (NEERI type) shall be permitted where the municipal sewerage system is not available and the water table in the area is not high.

11. Convenience shopping – Convenience Shopping as defined in these Regulations shall be permitted along layout roads with width of 12.2 m. to 18.49 m. provided that a minimum set-back of 1.5 m. and a minimum plot area of 25.0 is available and is provided.
12. Recreation Ground – In the layouts, provisions for recreation ground shall be on the lines prescribed in these Regulations.
13. Ancillary structures. – Ancillary structures such a permissible ground tank, overhead tank substations etc, shall be permissible in the compulsory recreation open space subject to the condition that not more than 10 per cent of such space shall be utilised for such purposes.

— x —